

1AP6 Rec'd PCT/PTO 05 JUL 2006 CI

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE ATENT AND TRADEMARK OFFICE (Rev. 11-2000)		TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371	ATTORNEY'S DOCKET NUMBER 689290-272
INTERNATIONAL APPLICATION NO. PCT/US2005/000040		INTERNATIONAL FILING DATE 4 January 2005	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/585466
TITLE OF INVENTION <p style="text-align: center;">CANCER-LINKED GENES AS TARGETS FOR CHEMOTHERAPY</p>		PRIORITY DATE CLAIMED 6 January 2004	
APPLICANT(S) Bernd WEIGLE and Reinhard EBNER			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request for national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached herewith (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821-1.825. 18. <input checked="" type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 15(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Sequence Listing on 3.5" Diskette and Statement under 37 C.F.R. 1.821(f) 			

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.
PCT/US2005/000040ATTORNEY'S DOCKET NUMBER
689290-27221. ☒ The following fees are submitted:**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO and JPO.....

\$300.00

National Stage Search Fee – U.S. was not the ISA.....

\$500.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....

\$790.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO and all claims did not satisfy provisions of PCT Article 33(1)-(4).....

\$200.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....

\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =**CALCULATIONS PTO USE ONLY**

\$ 1000.00

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	45 - 20 =	25	X \$50.00	\$ 1250.00	
Independent Claims	19 - 3 =	16	X \$200.00	\$ 3200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS			=	\$ 5580.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2			-	\$ 2790.00	
SUBTOTAL			=	\$ 2790.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$	
TOTAL NATIONAL FEE			=	\$ 2790.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+	\$	
TOTAL FEES ENCLOSED =				\$ 2790.00	
				Amount to be refunded:	\$
				charged:	\$

- a. ☒ A check no. _____ in the amount of \$2790.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 03-0678 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-0678. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit Card** information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Date: 5 July 2006

ALAN J. GRANT, Esq.
Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein
5 Becker Farm Road
Roseland, New Jersey 07068

SIGNATURE

NAME

ALAN J. GRANT

REGISTRATION NUMBER : 33,389

EXPRESS MAIL NO. EV439773024US